



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 04-55

Date: August 6, 2004

Application No. 2004-01371

Expiration: September 7, 2004

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
AND
STATE OF TENNESSEE

SUBJECT: Proposed Public Boat Launching Ramp at Tate Springs Access Area,
Grainger County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344)**. Before a permit can be issued, certification must be provided by the state of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: **Tennessee Wildlife Resources Agency**
Attn: Mr. Les Haun
P.O. Box 40747
Nashville, Tennessee 37204

LOCATION: German Creek Mile 5.4, Right Bank, a Tributary to Holston River
Mile 70.2, Right Bank, Cherokee Lake, Grainger County, Tennessee lat N36° 20' 8.02",
lon W83° 20' 54.46", Bean Station, TN Quadrangle

DESCRIPTION: The applicant proposes to construct a public concrete boat-launching ramp at Tate Springs Access Area. The boat ramp would be 15' wide by 240' long and extend from Elevation 1075.0 to Elevation 1045.0 on a 14% slope. Normal operating summer pool (nsp) for Cherokee Lake is Elevation 1072.0, while normal operating winter pool Elevation is 1020.0. The ramp would be poured in place, in the dry during the winter drawdown, and join the existing gravel parking lot. Approximately 312 cubic yards (cy) of fill material (rock fill, base stone, concrete and riprap) would be required for total ramp construction. Approximately 285 cy of this material would be below nsp, consisting of rock fill and 6" of concrete over 6" of crushed stone base. Riprap ranging in size from 6"-12" would be placed along the sides and toe of the ramp on a 2:1 slope or flatter to prevent undercutting.

The applicant would implement best management practices throughout construction. This would be a no-fee ramp for use in the summer months only.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The work has been categorically excluded from environmental documentation by 33 CFR Part 325, Appendix B, Paragraph 6, which became effective on March 4, 1988. An Environmental Assessment may be prepared if extraordinary circumstances are revealed during the public interest review. Based on currently available information, an EA or EIS is not required. However, the categorical exclusion does not exempt work from substantive or procedural compliance with applicable statutes such as the Clean Water Act, National Historic Preservation Act, Fish and Wildlife Coordination Act, Endangered Species Act, etc.

TVA indicated during their search of records that an archaeological site exists in the vicinity of the proposed project. However, they have concluded that the proposed work would not affect this site. The National Register of Historic Places has also been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist, which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.
- b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **September 7, 2004** will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Ms. Deborah T. Tuck, at the above address, telephone (615) 369-7518. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Holston-Cherokee-Douglas Watershed Team, 2611 West Andrew Johnson Highway (WPB 1A-MOT), Morristown, Tennessee 37814-3295. Please send your comments relative to the §401 Water Quality Certification to Mr. Dan Eagar, Tennessee Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street Nashville, Tennessee 37243-1534, telephone (615) 532-0625.

TVA indicated during their search of records that an archaeological site exists in the vicinity of the proposed project. However, they have concluded that the proposed work would not affect this site. The National Register of Historic Places has also been consulted and no properties listed in or eligible for the National Register are known to be affected by the proposed work. This review constitutes the full extent of cultural resources investigation unless comment to this review is received documenting that significant sites or properties exist, which may be affected by this work, or that additional documentation is needed to determine the location of significant sites or properties within the permit area. Copies of this review are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or otherwise any Federally-listed historic or managed species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no-effect determination and have not initiated consultation with the U.S. Fish and Wildlife Service and have not placed a stipulation on this permit.

(3) Federal state and local agencies are invited to the proposed work and are as follows:

Tennessee Valley Authority (TVA) approval under Section 204 of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to comply with management practices to avoid erosion and sedimentation, as necessary, to prevent adverse impacts on the river.

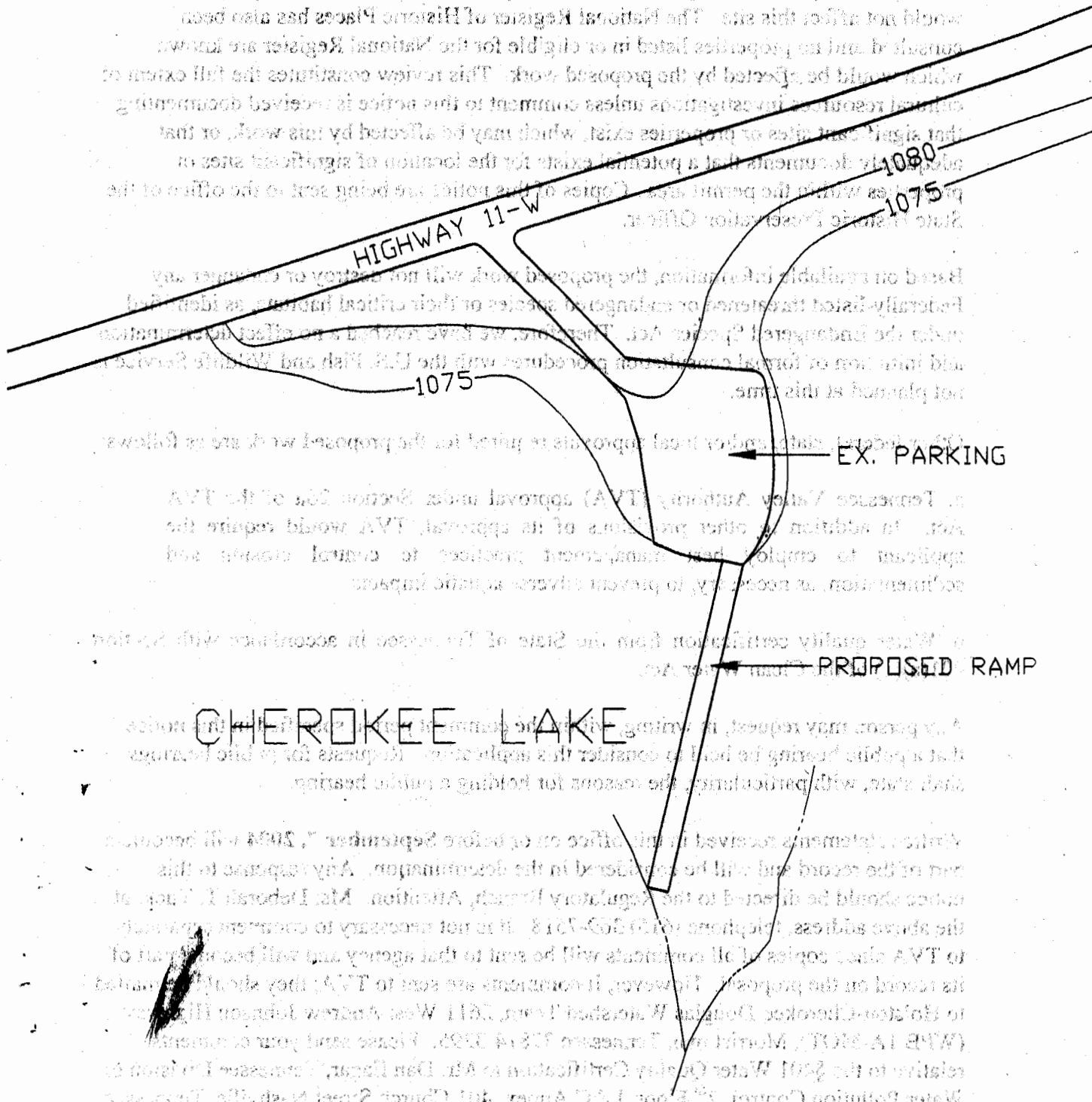
A Water Quality Certification from the State of Tennessee in accordance with Section 401 of the Clean Water Act.

A person may request a hearing on the permit at any time before the permit is issued. That a public hearing be held to consider this application. Requests for the hearing should state, with particularity, the reasons for holding a public hearing.

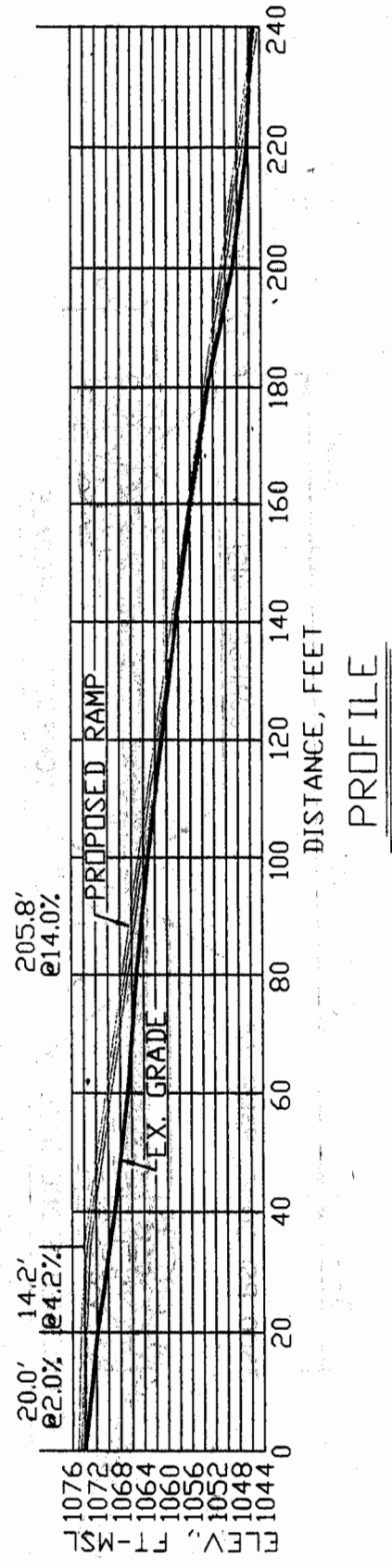
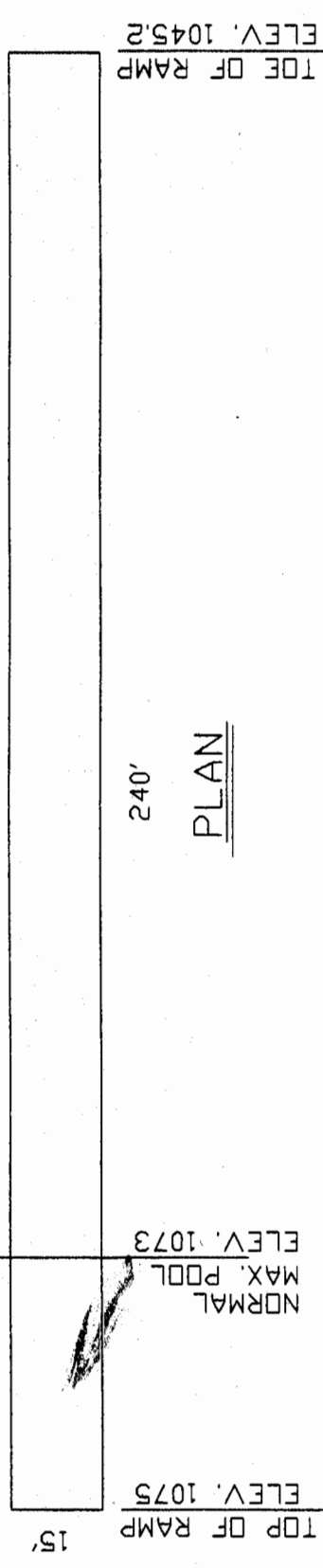
Written comments received in this office on or before September 7, 2004 will become part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Mr. Deborah L. Tuck, at the above address. Telephone (615) 305-7318. It is not necessary to comment on every point of the notice. Copies of all comments will be sent to that agency and will be available to TVA and the public. However, if comments are sent to TVA, they should be mailed to the Cherokee-Douglas Waterway Project, 2811 West Andrew Johnson Highway, (WAB) 1A-310T, Murfreesboro, Tennessee 37134-3301. Please send your comments relative to the 2001 Water Quality Certification to Mr. Dan Leger, Tennessee's lead on Water Pollution Control, 2001 West Andrew Johnson Highway, Murfreesboro, Tennessee 37134-3301 (telephone 615) 305-7318.

PROPOSED LAUNCH RAMP
SITE PLAN
TATE SPRINGS, GRAINGER CO.,
CHEROKEE LAKE
SCALE: 1"=100' JUNE, 2004

PN 04-55
FN #2004-01371
Applicant: TWRA

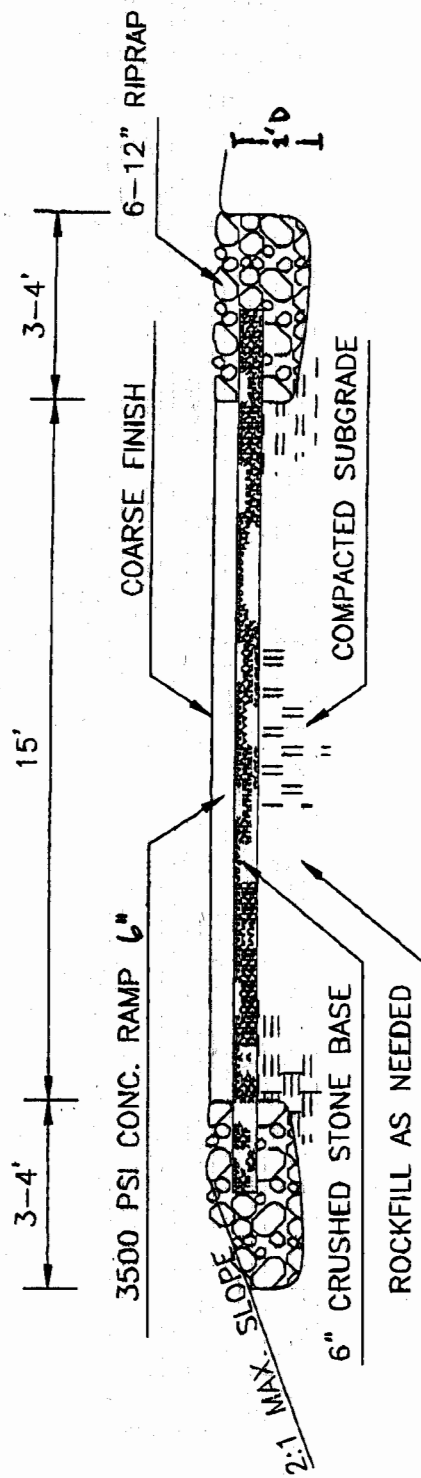


CHEROKEE LAKE, 11000000
 DRAINAGE BASIN X-SECTION
 100' HORIZONTAL DISTANCE



PROPOSED LAUNCH RAMP
 PLAN & PROFILE
 TATE SPRINGS, GRAINGER CO.
 CHEROKEE LAKE
 SCALE: 1"=40' JUNE, 2004

PN 04-55
 FN #2004-01371
 Applicant: TWRA



TYPICAL SECTION

SCALE: 1/4" = 1'-0"

PN 04-55
 FN #2004-01371
 Applicant: TWRA

TATE SPRINGS ACCESS AREA
 TYPICAL RAMP X-SECTION
 GRAINGER COUNTY, TENNESSEE

